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| FAX NUMBER | 15712738300 |
| FROM | charles mirho |
| DATE | 2006-12-20 20:45:12 GMT |
| RE | 09/608,747 FSP0311 Terminal Disclaimer |

COVER MESSAGE**Attorney Docket Number: FSP0311****Title: guaranteed quality of service in an asynchronous
metro packet
transport ring****Application Number: 09/608,747****Terminal disclaimer****Fee transmittal****1 page of Certificate of facsimile**GET FREE ONLINE FAX DELIVERY FROM eFAX
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CERTIFICATE OF FACSIMILE TRANSMISSION

for

Attorney Docket Number: FSP0311

Client Reference Number: 257370US

Title: guaranteed quality of service in an asynchronous metro packet transport ring

Application Number: 09/608,747

Filing Date: Friday, June 30, 2000

I hereby certify that the following is being transmitted via facsimile to telephone number 571-273-8300 on Wednesday, December 20, 2006.

Signature: /Charles A. Mirho/
Charles A. Mirho

Contents of This Correspondence

Terminal disclaimer

Fee transmittal

1 page of Certificate of facsimile

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**TERMINAL DISCLAIMER TO OBLIGATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

for

Attorney Docket Number: FSP0311

Client Reference Number: 257370US

Title: guaranteed quality of service in an asynchronous metro packet transport ring

Application Number: 09/608,747

Filing Date: Friday, June 30, 2000

The owner, Broadband Royalty Corporation, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/608489, filed on **June 30, 2000**, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

2. The undersigned is an attorney or agent of record. Reg. No. 41,199

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that

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such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The terminal disclaimer fee under 37 CFR 1.20(d) is included.

Submitted by:

Signature /Charles A. Mirho/
Charles A. Mirho
Reg. 41,199
Attorney for Applicant

Date: Wednesday, December 20, 2006

Address all correspondence to:
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Attn: Charles A Mirho
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USA

Phone: 360-737-1748
Fax: 360-294-6426

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FEE TRANSMITTAL

for

Attorney Docket Number: FSP0311
Client Reference Number: 257370USTitle: guaranteed quality of service in an asynchronous metro packet transport ring
Application Number: 09/608,747
Filing Date: Friday, June 30, 2000

TOTAL FEE: \$130 dollars

This fee includes:

USPTO statutory fee to file a terminal disclaimer: \$130

Payment is made by Authorization to debit deposit account for \$130 dollars. PLEASE
NOTE FSP0311 AS THE ATTORNEY DOCKET NUMBER ASSOCIATED WITH
THIS TRANSACTION.Charge unpaid fees and credit overpayments to deposit account 501691. PLEASE NOTE
FSP0311 AS THE ATTORNEY DOCKET NUMBER ASSOCIATED WITH THIS
TRANSACTION ON THE DEPOSIT ACCOUNT STATEMENT.

Submitted by:

Signature /Charles A. Mirho/
Charles A. Mirho
Reg. 41,199
Attorney for Applicant

Date: Wednesday, December 20, 2006

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